

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

**In re:
Bed Bath & Beyond Inc., et al.,
Debtors.**

**Case No. 23-13359 (VFP)
Chapter 11 (Jointly Administered)**

**[PROPOSED] ORDER COMPELLING DISCLOSURE OF SHAREHOLDER
LEDGER AND RECONCILIATION OF SHARE DISCREPANCY**

Upon the motion of Jeffrey Mead Kurzon, pro se, for entry of an order compelling production of the shareholder ledger maintained by American Stock Transfer & Trust Company, LLC (now known as Equiniti Trust Company, LLC), and for reconciliation of the apparent discrepancy between the number of common shares reported as held by Cede & Co. and the total number of legally outstanding shares as of the Plan's Effective Date, and the Court having reviewed the motion and the accompanying certification, and for good cause shown:

IT IS HEREBY ORDERED THAT:

1. The Plan Administrator shall, within fourteen (14) days of the entry of this Order, produce and file with the Court, and serve upon the Movant:
 - (a) the complete shareholder ledger maintained by Equiniti (f/k/a AST) as of both (i) the Plan Confirmation Date (September 14, 2023), and (ii) the Equity Cancellation Effective Date (September 29, 2023); and

- (b) any correspondence or official communication to or from AST, Cede & Co., or the Depository Trust & Clearing Corporation (DTCC) concerning final share counts, equity cancellation instructions, or reconciliation processes.
2. The Plan Administrator shall submit a written explanation or certified statement reconciling:
- (a) the number of shares reported as held by Cede & Co. in Docket No. 219 and in subsequent filings, including Docket Nos. 2631-1 and 2631-2;
 - (b) the total number of shares reported as legally outstanding in Docket No. 10 and other plan-related filings; and
 - (c) any discrepancy between such figures, with specific reference to whether the discrepancy may involve oversubscription, synthetic issuance, reconciliation error, or other anomalies.
3. The Court encourages the Plan Administrator, in fulfillment of its fiduciary duties under the confirmed plan (DKT 2160), to obtain or request verified position statements from major brokerage or custodial firms known to have held Bed Bath & Beyond shares on behalf of beneficial owners as of the Plan's Effective Date. Such reconciliation efforts may include informal outreach, subpoenas, or any other lawful means deemed appropriate.

4. The Plan Administrator shall, to the extent such data is obtained, disclose on the docket a reconciliation summary stating whether the total number of beneficial shares held via Cede & Co., combined with directly registered shares, matched the number of shares legally outstanding as of September 29, 2023. If any unresolved discrepancy remains, the Plan Administrator shall identify whether further investigation is warranted and what steps, if any, will be taken to resolve it.
5. Nothing in this Order shall waive or limit the rights of the Movant, or of any similarly situated equity holder, to seek further relief in law or equity in any appropriate forum, including but not limited to this Court.

IT IS SO ORDERED.

Dated: _____

Newark, New Jersey

Hon. Vincent F. Papalia
United States Bankruptcy Judge